

Docket No.: CLNK-1P6



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled COLOR FILTERS AND SEQUENCERS USING COLOR SELECTIVE LIGHT MODULATORS, the specification of which

[] is attached hereto [X] was filed on **July 31, 1998** as Application Serial No. **09/126,330** and was amended on **September 2, 1998** (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority or provisional application benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate, or provisional application(s) listed below and have also identified below any foreign application for patent or inventor's certificate, or provisional application(s) having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) or U.S. Provisional Application(s):			Priority Claimed	
Number	Country	Day/Month/Year	Yes	No

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U. S. Application(s): Serial No.	Filing Date	Status: Patented, Pending, Abandoned
08/853,468	May 9, 1997	Pending
08/645,580	May 14, 1996	Patented (U.S. Patent No. 5,822,021)
08/855,716	May 8, 1997	Pending
08/447, 522	May 23, 1995	Patented (U.S. Patent No. 5,751,384)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made

are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) and/or agent(s): Daniel Y.J. Kim, Registration No. 36,186 and Mark L. Fleshner, Registration No. 34,596; Carl R. Wesolowski, Registration No. 40,372, John C. Eisenhart, Registration No. 38,128, and Rene A. Vazquez, Registration No. 38,647, all of

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with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them.

Full name of sole or first inventor: Gary D. Sharp
Inventor's signature: G. D. Sharp Date: 9-28-98
Residence: Boulder, Colorado
Citizenship: U.S.A.
Post Office Address: 5251 Olde Stage Road, Boulder, Colorado 80301

Full name of joint inventor(s):
Inventor's signature: _____ Date: _____
Residence: _____
Citizenship: _____
Post Office Address: _____

Full name of joint inventor(s):
Inventor's signature: _____ Date: _____
Residence: _____
Citizenship: _____
Post Office Address: _____

Applicant or Patentee: Gary D. Sharp

Serial or Patent No.: 09/126,330

Filed or Issued: July 31, 1998

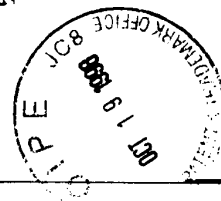
For: COLOR FILTERS AND SEQUENCERS USING COLOR SELECTIVE LIGHT MODULATORS

Attorney's Docket No.: CLINK-198

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:



NAME OF ORGANIZATION: ColorLink, Inc.

ADDRESS OF ORGANIZATION: 2425 55th Street, Suite 250, Boulder, Colorado 80301

I hereby declare that the above identified small business concern qualified as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled COLOR FILTERS AND SEQUENCERS USING COLOR SELECTIVE LIGHT MODULATORS, by inventor(s) Gary D. Sharp described in

- ☐ the specification filed herewith.
☒ application Serial No. 09/126,330, filed July 31, 1998.
☐ patent no. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Mr. Gary Leslie

TITLE IN ORGANIZATION: Chief Executive Officer

ADDRESS OF PERSON SIGNING: 2425 55th Street, Suite 250, Boulder, Colorado 80301

SIGNATURE: _____

DATE: 10/16/98